

REMARKS

Claims 1 – 22, and 35 - 45 are now pending in the application. Claims 9, 10, 21, and 44 are withdrawn without prejudice. The Amendment does not introduce new matter, and the entry is respectfully requested. Based on the above Amendment and the following Remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections, and that he withdraw them.

Claim Objections

Claims 1, 17, and 45 have been amended as suggested by the Examiner. Claim 21 has been withdrawn. In light of these amendments the Examiner is respectfully requested to reconsider the claim objections and withdraw them.

Rejections under 35 U.S.C. § 103

Claims 1 – 22 and 25 – 45 have been rejected under the obviousness provisions of 35 U.S.C. § 103. Claim 1 has been amended to include the limitations recited in Claim 9. The Examiner has rejected claim 9 under the obviousness provisions of 35 U.S.C. § 103 as allegedly being unpatentable over U.S. Patent No. 5,787,234 to Molloy in view of U.S. Patent No. 4,841,441 to Nixon. This rejection as applied to amended Claim 1 is respectfully traversed.

The present invention and the system disclosed in Molloy are associated with case based reasoning. The system disclosed in Nixon on the other hand is associated with expert systems, as the Examiner has pointed out. The Examiner indicates that Nixon “discloses an expert system that identifies inconsistent answers provided by a user to two or more questions”, and that it would be obvious to combine this with Molloy, which the Examiner is using as the primary reference for the overall rejection of the claims. However, obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching, suggestion or incentive supporting the combination. In this instance there is no such teaching or suggestion. In fact, Molloy specifically states “In practice, expert systems have generally failed in complex and unpredictable applications in which it is impossible for anyone to hold all relevant knowledge and keep up with the constant changes in the environment. Highly skilled programmers would be required to write and maintain a decision tree of tens of thousands, or hundreds of thousands, of rules to

provide useful help. Most organizations do not have the resources to pursue this goal, which may be impossible in many domains anyway.” [Col. 1, Line 40 – 49]. Therefore Molloy offers no teaching or suggestion for the proposed combination. In fact Molloy arguably teaches away from using expert system technology. Therefore, there is no suggestion or motivation to combine the two references, the grounds proposed by the Examiner for combining the two references is unsupported, and a prima facie case for obviousness has not been made. Accordingly, Claim 1, as amended is believed to be allowable. By analogy, Claims 22 and 45 are believed to be allowable. In addition, the claims depending from Claims 1, 22, and 45 are also believed to be allowable since they depend from an allowable claim.


Claim 17 has been amended to incorporate the limitations recited in Claim 16, i.e., “displaying an action detail window containing detailed information regarding a selected action from one of the first and second sets of recommended actions”. The Examiner has rejected Claim 16 in general under the obviousness provisions of 35 U.S.C. § 103 as allegedly being unpatentable over U.S. Patent No. 5,787,234 to Molloy in view of U.S. PAP No. 2002/0007237 to Phung (“Claims 1 – 4, 10, 15 – 17, 33 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Molloy . . . in view of Phung . . . [Office Action of 7/11/2003, Page 3, Paragraph #4.]. However, the Examiner has not provided any specific rationale for the rejection of Claim 16. Neither Molloy nor Phung, alone or in combination teach or suggest “displaying an action detail window containing detailed information regarding a selected action from one of the first and second sets of recommended actions”, as recited in amended Claim 17. Therefore, Claim 17, and the associated dependent claims are believed to be allowable. By analogy, amended Claim 40 and the associated dependent claims are also believed to be allowable.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections, and that they

withdraw them. The Examiner is courteously invited to telephone the undersigned representative if they believe that an interview might be useful for any reason.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "W. Bryan McPherson", is written over a horizontal line.

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